IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 28TH SEPTEMBER 2007 / 6TH ASWINA 1929

OP.No. 3955 of 1999(U)

PETITIONER:

P.MAHESWARI AMMA,
THENGUVILAKIZHAKATHU VEEDU,
KAPPIL P.O., EDAVA,
THIRUVANANTHAPURAM DIST.

BY ADV. SRI.M.BALAGOVINDAN
SRI.VINOD J.DEV
SRI.BIJU KURIAKOSE

RESPONDENTS:

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1. **STATE OF KERALA, REP: BY ITS CHIEF SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.**

2. **DISTRICT SOCIAL WELFARE OFFICER, POOJAPPURA, THIRUVANANTHAPURAM.**

3. **CHILD DEVELOPMENT PROJECT OFFICER, VARKALA.**

BY GOVT. PLEADER SRI.P.N.SANTHOSH.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 28/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP.NO.6689 OF 1999 IN OP.NO.3955 OF 1999-U.

DISMISSED.

28/9/2007. **Sd/- T.R.Ramachandran Nair, Judge.**

APPENDIX

Petitioner's Exhibits:-

Ext.P1: **Copy of the order of the 3rd respondent.**

Ext.P2: **Copy of the order of the 3rd respondent.**

Ext.P3: **Copy of the representation to the 2nd respondent.**

Respondents' Exhibits:- **Nil.**

(true copy)

P.A. TO JUDGE.

Kvs/-

T.R.RAMACHANDRAN NAIR, J.

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O.P.No. 3955 of 1999-U.

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Dated this the 28th day of September, 2007.

J U D G M E N T

The petitioner is an Anganvadi Worker. Pursuant to the notification issued by the 2nd respondent she submitted application and she obtained rank No.15 in the selection procedure conducted by the 2nd respondent. Thereafter the 3rd respondent had appointed her as Anganvadi Worker on 15.12.1998.

2. The petitioner complains that later the 3rd respondent cancelled the appointment as per Ext.P2 as rank No.13 has reported for duty. It was also assured that she will be given preference in the next arising vacancy. The petitioner is challenging the legality of Ext.P2.

3. Ext.P2 would show that the petitioner was ordered to be terminated as rank No.13 joined duty. Admittedly the petitioner is rank No.15. Therefore, there is nothing illegal in Ext.P2. Since it is assured that the petitioner will be given employment in the next arising vacancy she may not have any other grievance also as the right for the appointment is not taken away at all. Therefore the writ petition fails. It is not evident from the pleadings whether she was granted appointment later. The 3rd respondent is

directed to consider the claim of the petitioner in any future arising vacancy as assured by the respondents if the same has not already been done.

The Original Petition is dismissed as above.

T.R.RAMACHANDRAN NAIR, JUDGE.

Kvs/-